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REMARKS

This Application has been carefully reviewed in light of the Office Action mailed May 19, 2004. At the time of the Office Action, Claims 1-21 were pending and stand rejected. In order to advance prosecution of this Application, Applicants have amended Claims 1-21. Applicants submit that no new matter has been added by these amendments. For at least the reasons discussed below, Applicants respectfully request reconsideration and favorable action in this case.

Section 102 and 103 Rejections

The Examiner rejects Claims 1, 3, 5, 7, 9, 11, and 13-20 under 35 U.S.C. §102(e) as being anticipated by Hawkins U.S. patent application 2001/0032354 ("*Hawkins*") and Claims 2, 4, 6, 8, 10, 12, and 21 under 35 U.S.C. § 103(a) as being unpatentable over *Hawkins*, in view of Halahmi U.S. Patent 6,684,088 ("*Halahmi*"). Applicants respectfully traverse these rejections.

A prior art reference anticipates a claim "only if *each and every element* as set forth in the claim is found, either expressly or inherently described," in that reference. *Verdegaal Bros. v. Union Oil Co.*, 814 F.2d 628, 631 (Fed. Cir. 1987) (emphasis added); *see also* M.P.E.P. § 2131 (quoting *Verdegaal Bros.*, 814 F.2d at 631); *see also* M.P.E.P. § 706.02 ("[F]or anticipation under 35 U.S.C. § 102, the reference must teach *every aspect* of the claimed invention either explicitly or impliedly."). In addition, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claims" and "[t]he elements must be arranged as required by the claim." *Richardson v. Suzuki Motor Co.*, 9 USPQ 2d 1913, 1920 (Fed. Cir. 1989); *In re Bond*, 15 USPQ 2d 1566 (Fed. Cir. 1990); MPEP § 2131 (emphasis added).

Applicants submit that *Hawkins* fails to teach each and every element as claimed. For example, amended Independent Claim 1 recites, "converting the unsolicited message from the external data format to an internal data format." Applicants have made explicit what was implicit by amending "external format" to recite "external data format" and "internal format" to recite "internal data format." For the teaching of the limitation prior to these amendments, the Office Action merely offered passages that teach converting between transmission protocols such as compressed transport protocol (CTP) and HyperText Transport Protocol (HTTP). Page

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5, Paragraph 85; Page 6, Paragraph 93. As is well known in the art, a protocol such as CTP and HTTP are rules, procedures, or conventions that determine data transmission between two devices,¹ which is not a data format as claimed such as, for example, extensible markup language (XML). In contrast, as described in Applicants specification, by converting data formats, private office networks may be able to process data from external data sources that is in a format other than an internal data format that is processable by the network. Accordingly, the conversion of transmission protocols does not meet the above-identified limitation and the rejection of Claim 1 is improper. Applicants respectfully request reconsideration and allowance of Claim 1 and its dependents.

Regarding Claim 21, there is no suggestion or motivation to combine *Hawkins* and *Halahmi*. The Examiner states that "it would be obvious to one of ordinary skill in the art to modify the teachings of *Hawkins* to have the internal format for the mobile device messages comprises XML." However, Applicants submit that modifying *Hawkins* as suggested by the Examiner would change the principle of operation of the proxy server 180 disclosed in *Hawkins* and render key features useless or inoperable. If a "proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious." M.P.E.P. §2143.01. The principle of operation of the proxy server 180 in *Hawkins* is to convert signals between different transmission protocols,² not converting data formats of unsolicited messages. The design, construction, and use of the proxy server 180 as disclosed in *Hawkins* that could convert between data formats as illustrated in *Halahmi* would require a substantial reconstruction and redesign of the elements in *Hawkins*. Therefore, for at least these reasons, there is no suggestion and motivation to combined *Hawkins* and *Halahmi*, and thus, amended Claim 21 is allowable.

Independent Claims 1, 5, and 13 recite limitations that are similar, although not identical, to the limitation of Claim 1 discussed above. Therefore, these claims are allowable for reasons analogous to those discussed above in connection with Claim 1. Claims 2-4, 6-12 and 14-20

¹ Newton, Harry "Newton's Telecom Dictionary," 18th Ed.

² Page 2, Paragraph 21; Page 6, Paragraph 93.

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each depend from one of independent Claims 1, 5 and 13 and are thus also patentable over the cited art.

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CONCLUSION

For the foregoing reasons and for reasons clearly apparent, Applicants respectfully request allowance of all pending claims.

If the Examiner feels that a telephone conference or an interview would advance prosecution of this Application in any manner, the undersigned attorney for Applicants stand ready to conduct such a conference at the convenience of the Examiner.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayments to Deposit Account No. 19-2179 of Siemens Information & Communications Products, L.L.C.

Date: August 18, 2004

Respectfully requested,

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